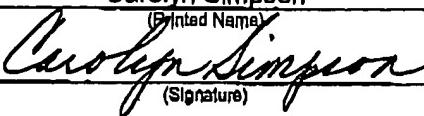


Atty. Dkt. No. 032016-0128

Application No. 10/763,726

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Majchrzak et al.  
Title: FOOD CONTAINER  
Appl. No.: 10/763,726  
Appl. Filing Date: 01/23/2004  
Examiner: Pelham, Joseph Moore  
Art Unit: 3742

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
Carolyn Simpson (Printed Name)	
	
(Signature)	
November 14, 2005 (Date of Deposit)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL****FAX RECEIVED**

Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOV 14 2005

OFFICE OF PETITIONS

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

## a. Previously submitted:

Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.

11/16/2005 AKELLEY 0000004 061447 10763726

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Application No. 10/763,726

[ ] Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_\_.

[ ] Other \_\_\_\_.

b. Enclosed are:

[ X ] Amendment/Reply (6 pages).

[ ] Affidavit(s)/Declaration(s).

[ X ] Information Disclosure Statement (3 pages).

[ X ] Form PTO/SB/08 (1 page) with 6 listed references (3 enclosed).

[ X ] Petition for Withdrawal from Issue After the Issue Fee Has Been Paid (1 page).

Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	26	-	41 = 0	x \$50.00	= \$0.00
Independents	2	-	8 = 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$360.00	=	\$0.00
CLAIMS FEE TOTAL:					= \$790.00

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- [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	0	\$0.00
[ ] Extension for response filed within the second month:	\$450.00		\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00		\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00		\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID:			\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
[ X ] Small Entity Fees Apply (subtract ½ of above):			\$395.00
[ ] Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$395.00

- [ X ] Please charge Deposit Account No. 06-1447 in the amount of \$525.00 for RCE Fee (\$395.00) and Petition Fee (\$130.00). A duplicate copy of this transmittal is enclosed.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Atty. Dkt. No. 032016-0128

Application No. 10/763,726

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov. 14, 2005

By Scott C. Nielson

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Customer Number: 26371  
Telephone: (414) 297-5718  
Facsimile: (414) 297-4900

Scott C. Nielson  
Attorney for Applicant  
Registration No. 50,755